

REMARKS

1. The Examiner has indicated that the application contains claims 1-40 drawn to include two distinct Inventions I and II. The listing of all claims (1-40) is given above. More specifically, the Examiner stated that invention I includes Group I of claims (1-25 and 30-35) drawn to quadrature amplitude modulation, classified in class 375, subclass 298. The Examiner also made clear that invention II includes Group I of claims (26-29 and 36-40) drawn to controlling and selection a mode of operation in a modem, classified in class 375, subclass 222. The Examiner has indicated that the Applicant is required under 35 U. S. C. 121 to elect a single disclosed invention for prosecution on the merits.

The Applicant herein elects the Group I of claims (1-25 and 30-35) for prosecution on the merits. The listing of claims (1-25 and 30-35) readable thereon is given above.

2. Claims (1-25 and 30-35) are elected for further prosecution on the merits.

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David Isaksen; Mark Fong

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Title: "CONTROL ALGORITHM IN QAM MODEMS."

Commissioner for Patents
P.O. Box 1450
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CERTIFICATE OF MAILING

I certify that the response to the Office Action for the above-identified patent application was deposited by me with the U.S. Postal Service with postage prepaid and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450, at Walnut Creek, California on April 15, 2006.

Date: April 15, 2006.


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